

**REMARKS/ARGUMENTS**

After the foregoing Amendment, Claims 17-31 are currently pending in this application. Claims 1 and 3-16 have been canceled without prejudice. Applicant submits that no new matter has been introduced into the application by these amendments.

Previous claims 1, 3-6, 8-10, 12-14 and 16 stood rejected under 35 USC §102(e) as being anticipated by Olds (US P6,757,263). Previous claims 7 and 11, and 15 stood rejected under 35 USC §103(a) as being unpatentable over Olds (US P6,757,263) in view of Crilly, Jr. (US 6,611,231).

New claims 17-31 are directed to a mobile station that suppresses the transmission of an acknowledgement (ACK) in response to a received message from a sender node in order to prompt the retransmission of the message to optimize the antenna angle setting and improve the signal quality for with the sender station. As explained in paragraph 0057, upon reception of a message, the mobile station suppresses the ACK and sets its antenna to a directional angle to receive the retransmission of the message. The received signal quality of the retransmitted message is determined and the acknowledgement message is further suppressed if the signal quality of the received message is unsatisfactory. The directional angle is adjusted to receive further retransmissions until the desired receive signal quality is achieved.

Olds discloses the use of an acknowledgment message as well as the failure to receive an acknowledgement message as form of feedback information. However, Olds fails to disclose the deliberate suppression of an acknowledgment message in order to prompt a sender to improve the signal quality of a transmission, as per the present claims. Similarly, Crilly, Jr., directed to adaptive of steering antenna arrays, does not teach suppressing an acknowledgment message in order to prompt a sender to improve the signal quality of a transmission, as per the present claims.

Olds and Crilly, Jr. simply do not teach the feature of present claim 17 of suppressing an acknowledgement message to force a retransmission to optimize the antenna angle. The remaining claims are dependent upon claim 17, which are believed to be allowable for the reason given above.

Based on the arguments presented above, a favorable action for new claims 17-31 is respectfully requested.

### **Conclusion**


If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

**Applicant:** James A. Proctor, Jr.  
**Application No.:** 10/774,860

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 17-31, are in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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